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3738

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Attorney Docket No. BERL-020/04US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten initials and number:
DB
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P20

In re application of Dan W. Urry

Serial No.: 09/841,321

Examiner: Hieu PHAN

Confirmation No.: 6851

Art Unit: 3738

Filed: April 23, 2001

For: **INJECTABLE IMPLANTS FOR TISSUE AUGMENTATION AND RESTORATION**

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Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☐ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☒ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
 - ☒ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. §1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- ☐ Check No. ___ in the amount of \$___ for the total fee is attached.
- ☒ A return receipt postcard is also enclosed.
- ☐ Please charge \$___ to Deposit Account No. 03-3117 for the total fee. This paper is being submitted in duplicate.

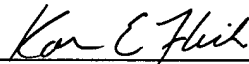
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: **October 3, 2003**

Respectfully submitted,
COOLEY GODWARD LLP

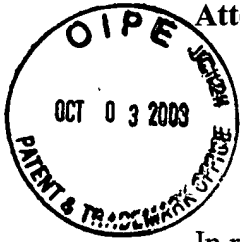
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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(c)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98 because this application was filed after June 30, 2003.
- ☒ Publication(s) A1, A2, F1, F2 and F3 listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to PCT application serial no. PCT/US99/04440 and mailed on July 7, 2003.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. §1.113;
- ☐ a notice of allowance under 37 C.F.R. §1.311; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- ☐ Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- ☒ Statement as specified in 37 C.F.R. §1.97(e):
 - ☒ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

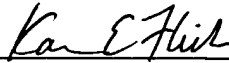
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: **October 3, 2003**

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